

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
DIVISION**

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	Case No. 18-00205-03-CR-W-RK
)	
JUSTIN DOMONIQUE DAVIS,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE: On August 8, 2018, the Grand Jury returned a twenty-three-count Indictment charging five defendants¹ with various charges. Defendant Justin Domonique Davis, was charged with the following counts: seven counts of aiding and abetting a robbery under the Hobbs Act (Counts One–Five, and Counts Eight–Nine); conspiracy to commit robbery under the Hobbs Act (Count Ten); seven counts of and aiding and abetting others, during and in relation to and in furtherance of a crime of violence, carried, possessed, used, brandished a firearm (Counts Eleven–Fifteen, and Counts Eighteen–Nineteen); conspiracy to possess, carry and use various firearms in furtherance of a crime of violence (Count Twenty); aiding and abetting possession of a firearm having previously been convicted of a crime punishable by imprisonment for a term exceeding one year (Count Twenty-One); aiding and abetting a robbery under the Hobbs Act (Count Twenty-Two); and aiding and abetting others, during and in relation to and in furtherance of a crime of violence, carried, possessed, used, brandished, and discharged a firearm (Count Twenty-Three).

The following matters were discussed, and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Bruce A. Rhoades and Maureen Brackett

Case Agent: Scott Hamann, financial analyst and paralegal

Defense: Steven Bradley Willibey (he may have someone assisting at trial)

OUTSTANDING MOTIONS: None.

¹ Co-Defendant Charles Stephon Porter (4) pled guilty on July 27, 2021. Co-Defendant Anthony NMN Payne, Jr. (5) pled guilty on January 20, 2022. Co-Defendant Joe Lee Nichols (1) is scheduled to change his plea on March 11, 2022. Finally, Co-Defendant Torrence Demond Key (2) is close to requesting a change of plea.

TRIAL WITNESSES:

Government: 30 with stipulations; less than 40 without stipulations

Defendant: 2 witnesses, including the Defendant

TRIAL EXHIBITS:

Government: approximately 50-70 exhibits, most are videos and photographs

Defendant: approximately 3 exhibits

DEFENSES: General denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 4-4½ days total

Government's case including jury selection: 3½ day(s)

Defendant: ½ day(s)

STIPULATIONS: No stipulations at this point but the parties are still working on them.

UNUSUAL QUESTIONS OF LAW: Possible issues with intertwining of a tenth uncharged robbery that took place. The Government does not believe it is an unusual question of law but wanted the Court to know of the issue.

FILING DEADLINES:

Witness and Exhibit List

Government: Proposed Witness List filed 1/12/2022. **Due/Updated list(s) due on or before February 1, 2022.**

Defendants: Proposed Witness List filed 1/24/22. **Due/Updated list(s) due on or before February 1, 2022.**

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, if required by the District Court, Voir Dire, Jury Instructions: Due on or before February 9, 2022.

Please Note: Jury instructions must comply with Local Rule 51.1

Motion in Limine: Due on or before February 9, 2022.

TRIAL SETTING: Criminal jury trial docket set for February 14, 2022.

Please note: Defense counsel requests the second week. There is a federal holiday the first day of the second week, but the parties believe they can try the case in that amount of time.

IT IS SO ORDERED

/s/ Lajuana M. Counts
LAJUANA M. COUNTS
UNITED STATES MAGISTRATE JUDGE